

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

RICHARD SMITH and SHAE LOFTICE,
on behalf of themselves and all others
similarly situated,

Plaintiffs,

v.

AMERICAN PAIN AND WELLNESS,
PLLC,

Defendant.

Case No. 4:23-cv-00295-ALM

Judge Amos L. Mazzant, III

PLAINTIFFS' NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiffs Richard Smith and Shae Loftice hereby give notice that their claims in this action against Defendant American Pain and Wellness, are hereby voluntarily dismissed with prejudice, with each party to bear its own costs and attorneys' fees.

Dated: October 21, 2024

By: /s/ Raina C. Borrelli
Raina C. Borrelli (*pro hac vice*)
raina@straussborrelli.com
STRAUSS BORRELLI PLLC
One Magnificent Mile
980 N Michigan Avenue, Suite 1610
Chicago IL, 60611
Telephone: (872) 263-1100
Facsimile: (872) 263-1109

Joe Kendall
KENDALL LAW GROUP, PLLC
TX State Bar No. 11260700
3811 Turtle Creek Blvd., Suite 1450
Dallas, TX 75219

Telephone: (214) 744-3000
Facsimile: (214) 744-3015
jkendall@kendalllawgroup.com

Attorneys for Plaintiffs and Proposed Class

CERTIFICATE OF SERVICE

I, Raina C. Borrelli, hereby certify that on October 21, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to counsel of record, below, via the ECF system.

DATED this 21st day of October, 2024.

STRAUSS BORRELLI PLLC

By: /s/ Raina C. Borrelli
Raina C. Borrelli
raina@straussborrelli.com
STRAUSS BORRELLI PLLC
One Magnificent Mile
980 N Michigan Avenue, Suite 1610
Chicago IL, 60611
Telephone: (872) 263-1100
Facsimile: (872) 263-1109